

REMARKS/ARGUMENT

Applicants appreciate the allowance of Claims 2, 5, 6, 8, 15, and 22, and the indication of allowable matter in Claims 12 and 18.

Claims 9, 16, and 23 have been amended to clarify that the limitation recited in each of them is directed to the material from which the hollow shaft member is made and does not imply that the invention comprises a separate process of forming a steel pipe. Claim 20 has been amended to clarify that, in the coupling claimed therein, only portions of the inner half of the contact surface on the joint member is contacted by the stopper portion (see embodiment illustrated, for example, in Figures 2, and 6-8). Claims 12 and 18 have been rewritten in independent form including all limitations of the base claims from which they respectively depend. Accordingly, Claims 2, 5, 6, and 8-23 remain pending in the application.

Claims 10, 13, 14, 17, 19 and 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,916,026, to Sadakata. Reconsideration of the rejection is respectfully requested.

As to Independent Claims 10 and 17, the Office asserts that the method of forming the stopper portions on the

hollow shaft member is not germane to the issue of patentability and, therefore, has been given little patentable weight. Applicants respectfully point out that a claim limitation resulting in a structural difference in a claimed product may be a valid distinction from the prior art. In this case, the limitation that the stopper portions on the hollow shaft member are made by flaring requires that the hollow shaft member be made of material that can be formed by flaring, e.g., the low-carbon steel pipe disclosed in the specification. In view of the lack of teaching regarding materials suitable for shaping by flaring in the Sadakata reference, Applicants respectfully submit that the elastic shaft coupling claimed in Claims 10 and 17 is not obvious over the disclosures of the Sadakata reference. Accordingly, it is respectfully requested that the rejection of Claim 10 under 35 U.S.C. § 102(b) be withdrawn.

Furthermore, as to dependent Claims 13 and 19, Applicants respectfully submit that they are allowable as dependent from allowable Claim 10.

As to dependent Claims 14 and 19, Applicants respectfully submit that they are allowable as dependent from allowable Claim 10. However, Applicants also

respectfully traverse the rejection under
35 U.S.C. § 102(b), as indicated in the following remarks.

The Sadakata reference discloses no embodiments wherein the radially outermost points of contact of the stopper portions on the hollow shaft member with the stopper faces on the joint member are disposed inwardly from respective centers of the stopper faces in a radial direction. On the contrary, in each of the embodiments illustrated in Sadakata the stopper portions extend radially beyond the center of the contact surfaces on the joint portions of the claimed elastic shaft coupling. This relationship may be readily seen by reference, e.g., to Figure 2, which shows the stopper portion 10a extending radially to the radial outermost portion of the contact surface in notch 17 in the joint member. Furthermore, by reference to the shapes of the stopper portions of the shaft members in the Sadakata reference, best seen in Figures 10 and 19, it can be seen that these stopper portions are designed to contact generally the entire face of the contact surfaces of the joint members. Consequently, in the shaft couplings disclosed in the Sadakata reference, the radial outermost point of contact is necessarily radially outward of the center of the

contact surfaces (in notch 17 and notch 117, respectively) of the joint member in a radial direction. Figures 16-22 show the same relative position of the radially outermost point of contact between the stopper portions on the hollow shaft member and the stopper faces on the joint member of the elastic shaft coupling. Accordingly, Claims 14 and 20 are further distinguished from the disclosures of the Sadakata reference and allowance of these claims is specifically urged.

Claims 11 and 21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 5,916,026, to Sadakata. Reconsideration of the rejection is respectfully requested.

There is no disclosure or suggestion in the Sadakata reference of forming a hollow shaft member in an elastic shaft coupling by flaring a steel pipe of low carbon steel. Inasmuch as neither the process nor a suitable material for practicing the process is disclosed or suggested in the reference, the skilled practitioner would find no basis or motivation in the sole applied reference for selecting a steel pipe of low carbon steel as the hollow shaft member used in the claimed elastic shaft coupling.

In view of the above amendments and discussion, this application is believed to be in condition for allowance, and an early Notice of Allowance is respectfully requested.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been requested separately, such extension is hereby requested.

Respectfully requested,

By: 
Mitchell W. Shapiro
Reg. No. 31,568

MWS:GWS:lmb:jb
Miles & Stockbridge P.C.
1751 Pinnacle Drive
Suite 500
McLean, Virginia 22102-3833
(703) 903-9000

George W. Swenson
Reg. No. 25,461

November 10, 2003